

Editorial: Ottawa's muzzling of librarians' free speech is intolerable by *Calgary Herald*, March 25, 2013

Ottawa's deliberate muzzling of federal librarians and archivists, a move which comes complete with a new code of conduct, jargon about "high-risk" activities, threats of discipline, and a hotline to rat out miscreants, is truly chilling. Librarians and archivists would seem to be the most innocuous of souls, so it's hard to imagine what activity they could engage in that would be so "high risk" as to merit this type of censure. **These are the folks who give talks at schools, speak at conferences, address groups of amateur genealogy enthusiasts, and publicly discuss the preservation of historic texts, among other educational activities. Yet, according to the new code of conduct, all of these activities – done on the librarians' own time away from work – must now be approved ahead of time by their managers.**

The new code covers the gamut of employees at Libraries and Archives Canada – staff, student assistants, workers on contract to the department, **and even volunteers.** It talks about **the obligation of maintaining a "duty of loyalty to the Government of Canada" which extends "beyond our workplace to our personal activities."** One would think that librarians and archivists are at grave risk of selling secrets to Canada's enemies in their spare time, rather than helping to educate their audiences about history. **"Teaching, speaking at conferences, and other personal engagements," the code says, "have been identified as high risk ... with regard to conflict of interest, conflict of duties and duty of loyalty."** The code was assembled by officials at Libraries and Archives Canada, after last April's Values and Ethics Code for federal government employees came into being, mandating that each department establish its own conduct code.

Some of those codes may well be merited in departments where highly sensitive information is handled, but only rampant and absolutely unwarranted paranoia could see a need for it among employees whose job is to preserve and disseminate historic and reference information for the public. Before any LAC employee can accept a speaking engagement, six criteria have to be met – including that the subject matter not be related to LAC. **That effectively rules out anyone sharing their knowledge with the general public.** The code appears overly concerned with what an employee might say about the federal government, and **even says limited-access blogs may be reason to discipline an employee because such a blog could negate the duty of loyalty to the government.** ... However, when librarians and archivists give talks about their work, about history or about

document preservation, **they are educating the public.** Speaking at a conference about the role of archivists, for example, cannot by anyone's wildest imagination be construed as disloyal. **This unwarranted dictate severely limiting the librarians' and archivists' freedom of speech is intolerable and must be reversed.** [Emphasis added]

Stephen Sitariski · State University of New York at Stony Brook

Why do keep referring to 'Ottawa' when it is clearly the Harper government who is making these decisions?

Albertans, and Calgarians, must begin to accept that the man they revered as their 'Messiah' is only a devil in disguise.

I know that it must be painful, but many people are finally waking up to Harper's criminal behaviour. He must be removed from office ASAP!!

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[Harper Conservatives Are Afraid Of Librarians](#) by *Huffingtonpost.ca*,

March 19, 2013

New Democrat Andrew Cash wants to know why Heritage Minister James Moore and other Harper Conservatives are so terrified.. of librarians. The Toronto MP rose in Question Period on Monday afternoon to shine a light on a controversial new code of conduct at Library and Archives Canada that some fear will **muzzle federal librarians.**

“According to the Conservatives, there is a new threat: *librarians*,” he said to some laughs. “And their ‘high risk activities.’ Activities like teaching and conferences.”

The document says that federal librarians and archivists who attend conferences, visit classrooms or speak at public meetings are engaging in “high risk activities” and must receive clearance from their department. Cash says the code of conduct even requires “duty of loyalty” to the Conservative government.

“Now I have always suspected that facts and science stirs the fear in the hearts of some members opposite,” Cash said. “But why is the minister so afraid of librarians?”

...

University of Toronto archivist Loryl MacDonald told The National Post that the code is already having a “chilling” effect on federal librarians and archivists, who used to be encouraged to interact with groups.

“It is very disturbing and disconcerting to have included speaking at conferences and teaching as so-called ‘high risk’ activities,” she said. Of course, **this isn't the first**

time the Harper Conservatives have been accused of “muzzling” thinkers. [Emphasis added]

[READ THE LIBRARY AND ARCHIVES CANADA CODE OF CONDUCT](#)
[Federal librarians fear being ‘muzzled’ under new code of conduct that stresses ‘duty of loyalty’ to the government](#) by Margaret Munro, *Postmedia News*, March 15, 2013, *Financial Post*

Federal librarians and archivists who set foot in classrooms, attend conferences or speak up at public meetings on their own time are engaging in “high risk” activities, according to the new code of conduct at Library and Archives Canada. Given the dangers, the code says the department’s staff must clear such “personal” activities with their managers in advance to ensure there are no conflicts or “other risks to LAC.”

...

“Once you start picking on librarians and archivists, it’s pretty sad,” says Toni Samek, a professor of library and information studies at the University of Alberta. She specializes in intellectual freedom and describes several clauses in the code as “severe” and “outrageous.” The code is already having a “chilling” effect on federal archivists and librarians, who used to be encouraged to actively engage and interact with groups interested in everything from genealogy to preserving historical documents, says archivist Loryl MacDonald at the University of Toronto. “It is very disturbing and disconcerting to have included speaking at conferences and teaching as so-called ‘high risk’ activities,” says MacDonald, who is president of the Association of Canadian Archivists, a non-profit group representing some 600 archivists across the country. She says the association’s board will ask Daniel Caron, deputy head of Library and Archives Canada, for clarification about the code **and its “harsh” wording**. MacDonald says federal archivists are leaders in the field both nationally and internationally and have traditionally spent a lot of personal time on professional activities. They have served as editors for publications such as *Archivaria*, a widely cited journal, written about developments and issues in the archival world and led workshops for historical and genealogy groups. “Could someone from the LAC be on the editorial board of a journal that contains an article critical of LAC?” MacDonald asks. “The code appears to now rule out such activities, unless they are sanctioned by managers at the LAC.” Given the wording of the code, she says it appears the government no longer trusts its professional staff. “It’s really tragic,” she says.

The code — “Library and Archives Canada’s Code of Conduct: Values and Ethics” — came into effect in January, says Richard Provencher, LAC’s senior communications adviser. He says the code was written by LAC in response to the April 2012 Values and Ethics Code for the public sector, which called for federal departments to establish their own codes of conduct. Provencher said by email that information sessions for employees are being held **to ensure the new code “is known and understood by all.”** ... The 23-page document is to be followed by everyone at LAC from full-time staff to students, volunteers and contractors. It spells out values, potential conflicts of interest and expected behaviours, **both on the job and off.** “As public servants, our duty of loyalty to the Government of Canada and its elected officials extends **beyond our workplace to our personal activities,**” the code says, adding that public servants “must maintain awareness of their surroundings, their audience and how their words or actions could be interpreted (or misinterpreted).”...

Provencher had no comment when asked to explain why teaching and attending conferences are identified as “high risk” or why interacting with individuals or groups that interact with the LAC has been ruled out. John Smart, who recently retired from archival teaching at Algonquin College and worked for almost 20 years at LAC, says it used to be considered an “honour” for LAC staff to be invited to talk at conferences. “It wasn’t seen as high risk but as high benefit,” says Smart. Like MacDonald, he notes that staff from the LAC have worked on their own time over the years to help foster Canada’s national and provincial archivist associations and groups. Smart suspects **the new code reflects a “generalized suspicion of public servants” by the Harper government.** And he says LAC managers are likely not keen to have staff fielding questions about **funding cuts** and changes at LAC, which are eliminating several specialist archive positions; moving to digitalize materials; **and reducing public access to archival collections.** “My perception of Library and Archives Canada is that it’s an institution in great trouble generally,” says Smart. “It is making decisions and changing policies that are making both its employees and its clientele upset.” [Emphasis added]

Federal librarians warned about ‘high risk’ activities like attending conferences, visiting classrooms or speaking at meetings by Margaret Munro, March 15, 2013, *Calgary Herald*

Federal librarians and archivists who set foot in classrooms, attend conferences or speak up at public meetings on their own time are engaging in “high risk” activities,

according to the new code of conduct at Library and Archives Canada. Given the dangers, the code says the department's staff must pre-clear such "personal" activities with their managers to ensure there are no conflicts or "other risks to LAC." **The code, which stresses federal employees' "duty of loyalty" to the "duly elected government," also spells out how offenders can be reported. "It includes both a muzzle and a snitch line,"** says James Turk, executive director of the Canadian Association of University Teachers, which represents more than 68,000 teachers, librarians, researchers and academics across the country. He and others say the code is evidence **the Harper government is silencing and undermining its professional staff. "Once you start picking on librarians and archivists, it's pretty sad,"** says Toni Samek, a professor of library and information studies at the University of Alberta. She specializes in intellectual freedom and describes **several clauses in the code as "severe" and "outrageous."**

The code is already having a "chilling" effect on federal archivists and librarians, who used to be encouraged to actively engage and interact with groups interested in everything from genealogy to preserving historical documents, says archivist Loryl MacDonald at the University of Toronto. **"It is very disturbing and disconcerting to have included speaking at conferences and teaching as so-called 'high risk' activities,"** says MacDonald, who is president of the Association of Canadian Archivists, a non-profit group representing some 600 archivists across the country. She says the association's board will ask Daniel Caron, deputy head of Library and Archives Canada, for clarification about the code and **its "harsh" wording.** ... Given the wording of the code, she says it appears the government no longer trusts its professional staff. **"It's really tragic,"** she says. The code, entitled "Library and Archives Canada's Code of Conduct: Values and Ethics," came into effect in January, says Richard Provencher, LAC's senior communications adviser. He says the code was written by LAC in response to the April 2012 Values and Ethics Code for the public sector, which called for federal departments to establish their own codes of conduct. Provencher said by email that **information sessions for employees are now being held to ensure the new code "is known and understood by all."** "LAC has invited all of its employees to provide feedback and suggestions during the ongoing information sessions," Provencher said, noting that the feedback will "inform any future iterations of our code." The 23-page document is to be followed by everyone at LAC from full-time staff to students, volunteers and contractors. It spells out values,

potential conflicts of interest **and expected behaviours**, both on the job and off. **“As public servants, our duty of loyalty to the Government of Canada and its elected officials extends beyond our workplace to our personal activities,”** the code says, adding that public servants **“must maintain awareness of their surroundings, their audience and how their words or actions could be interpreted (or misinterpreted).”** **It points to the dangers of social media.** “For example, in a blog with access limited to certain friends, personal opinions about a new departmental or Government of Canada program intended to be expressed to a limited audience can, through no fault of the public servant, become public and the author identified.” “The public servant could be subject to disciplinary measures, as the simple act of limiting access to the blog does not negate a public servant’s duty of loyalty to the elected government,” says the code. “Only authorized spokespersons can issue statements or make comments about LAC’s position on a given subject.”

One of the most contentious sections of the code deals with “teaching, speaking at conferences, and other personal engagements.” “On occasion, LAC employees may be asked by third parties to teach or to speak at or be a guest at conferences as a personal activity or part-time employment,” it says. **“Such activities have been identified as high risk to LAC and to the employee with regard to conflict of interest, conflict of duties and duty of loyalty.”** The code says employees may accept such invitations “as personal activities” if six conditions are met: The subject of the activity is not related to the LAC’s mandate or activities; the employee is not presented as speaking for or being an expert of LAC or the Government of Canada; the third party that made the invitation is not a potential or current supplier or collaborator with LAC; the third party does not lobby or advocate with LAC and does not receive grants, funding or payments from LAC; and the employee has discussed the invitation with his or her manager “who has documented confirmation that the activity does not conflict with the employee’s duties at LAC or present other risks to LAC.”

MacDonald, Turk and Samek say the six conditions appear to rule out federal librarians or archivists interacting on their own time with academics or heritage or genealogy groups and associations, as they may lobby, collaborate and receive funding from the LAC. **“If I worked there and my kid’s school invited me to talk about my work as an archivist in Canada, I’m not sure I’d even feel comfortable doing that.”** says Samek. **She says it is ironic, and disturbing, that the code is being applied at an institution meant to be**

dedicated to the preservation and sharing of information. “This is a cultural icon we are talking about,” says Samek, who expects **the code to have a “demoralizing, self-censuring” effect** on the LAC staff.

Provencher had no comment when asked to explain why teaching and attending conference are identified as “high risk” or why interacting with individuals or groups that interact with the LAC has been ruled out.

John Smart, who recently retired from archival teaching at Algonquin College and worked for almost 20 years at LAC, says it used to be considered an “honour” for LAC staff to be invited to talk at conferences. “It wasn’t seen as high risk but as high benefit,” [Emphasis added]

[Refer also to: [Ermächtigungsgesetz](#)]